

Julie Masters, Mayor
Charles Suderman, Mayor Pro Tem
Sean Skipworth
Walter Wilson

MINUTES

City of Dickinson
CITY COUNCIL
REGULAR MEETING

Wally Deats
Louis Decker
William H. King III
Chris Heard, City Administrator

April 14, 2020

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **Tuesday, April 14, 2020, at 7:00 p.m.** In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of Dickinson, Texas conducted the meeting by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). The meeting was held for the purpose of considering the following items:

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM

Mayor Masters called the meeting to order at 7:10 p.m. City Secretary Alun Thomas called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro-Tem Charles Suderman, and Council Members Sean Skipworth, Walter Wilson, Louis Decker, and William H. King, III. Council Member Wally Deats was absent. Also present were City Attorney David Olson, City Administrator Chris Heard, Emergency Medical Services Director/Co-Emergency Management Coordinator Derek Hunt, and Assistant to the City Administrator Kerilyn Bascle.

ITEM 2.) INVOCATION

Council Member Suderman gave the invocation.

ITEM 3.) PLEDGE OF ALLEGIANCE

Council Member King led the Pledge of Allegiance.

ITEM 4.) PROCLAMATIONS

A. Child Abuse Prevention and Awareness Month.

With the increased importance of child abuse prevention and awareness during the Coronavirus (COVID-19) stay-at-home orders, Mayor Masters read the proclamation aloud. She commented that child abuse is a very serious issue and that in these times of social distancing, child abuse and domestic abuse is expected to rise. Victims are encouraged to reach out to a hotline for help: 1-800-252-5400.

B. Fair Housing Month.

Because the meeting was held by telephone conference, Mayor Masters did not read this proclamation.

At this time, Mayor Masters asked Emergency Medical Services Director/Co-Emergency Management Coordinator Derek Hunt to provide Council with an update on the Coronavirus (COVID-19) pandemic. Mr. Hunt provided an update, noting that the number of confirmed cases of the virus is continuing rise in our area. He urged everyone to continue to practice social distancing by keeping at six feet apart from others, reduce travel outside of the home to an absolute minimum, wash hands frequently, and to wear a mask when out in public. Mr. Hunt said that anonymized data from cell phones in the area shows that citizens in the Galveston County area received an "A" rating for staying in place at the beginning of the issue, but that grade has now fallen to a "D". The Council agreed with Mr. Hunt's comments and encouraged everyone to take this highly contagious virus very seriously.

ITEM 5.) ANNOUNCEMENTS AND PRESENTATIONS:

A. Council Comments.

- Condolences to Council Member Wally Deats and his family on the passing-away of his son.
- The Knights of Columbus' fish fries have been well-attended and are now being run as a drive-through service. The next fish fry is scheduled for May 1st from 5:00-7:30 p.m.
- Condolences to James Tuston and Freda Matliff on the passing away of their mother.
- Council Member King has been attending the Houston-Galveston Area Council meetings by teleconference. He gave a brief update on the recent meetings.
- Everyone is encouraged to patronize local businesses to help them get through these challenging economic times. Council Member King thanked Mayor Masters for establishing a competition to encourage people to frequent local restaurants for to-go orders.
- Regarding the Coronavirus (COVID-19):
 - We all need to be vigilant and understand that some people contract the virus but remain asymptomatic; continuing to adhere to the prescribed social distancing practices is important.
 - Stress and emotions can run high during such times.
 - Thank you to our first responders, our teachers, and to everyone else involved in our response to the virus. Council Member Skipworth questioned whether the City's currently expensive dependent health insurance coverage could be made more affordable to the families of first responders who are out in the community every day.
 - A special thank you to Dickinson Economic Development Corporation for taking proactive measures to help our city when

so many other economic development corporations have still not stepped up to help their businesses.

- The City's budget will be impacted by the pandemic. The City should start to estimate the magnitude and effect of that impact.
- Council Member Decker said that the slope mower has done a great job along Hughes Road. The City now needs to encourage people to cut back any trees that overhang the drainage ditches.
- Council Member Skipworth asked that City Administrator Chris Heard include information in his next report to Council about the drainage issue on Palm Drive and about the progress made in the project to update the City's Comprehensive Plan. He noted that the General Land Office has a program to assist with the updating of cities' comprehensive plans.
- The City needs to be conducting regular evaluations of its staff.
- Council Member Skipworth said that the agreement with College of the Mainland for use of City facilities needs to be maintained so that both parties will be ready when in-person classes resume.
- The City needs a comprehensive communication strategy to better disseminate information.

ITEM 6.) REPORTS:

- A. Summary of the Economic Impact Analyses/Reports on Both Potential Sites for the Gulf Coast Public Market Project (Dickinson Economic Development Corporation Chief Executive Officer Scott Jones).

Dickinson Economic Development Corporation Chief Executive Officer Scott Jones briefly summarized Impact DataSource, LLC's economic impact analyses/reports, remarking that the original feasibility study that was conducted by Aaron Zeretsky for the proposed market was optimistic. He drew attention to the difference between that study and these new analyses, noting that the expected creation of 390 jobs has now been reduced to 65 (if the market is built on Highway 3) or 75 (if the market is built on Interstate 45). The market is now also forecast to run a deficit over the first 20 years of operation, of approximately \$7,600,000 (if the market is built on Highway 3) or \$4,700,000 (if the market is built on Interstate 45). Mr. Jones said that each year, covering that deficit would consume approximately one-third of Dickinson Economic Development Corporation's budget. The payback-time for the market, if built, is estimated to be 36+ years (if the market is built on Highway 3) or 20+ years (if the market is built on Interstate 45).

ITEM 7.) PUBLIC COMMENTS: At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, The City Council may not deliberate. **Comments from the public**

should be limited to a maximum of three (3) minutes per individual speaker.

Kathy Palmer, 5022 Casa Grande Street, Dickinson, Texas – Ms. Palmer said that Council should follow its own advice.

ITEM 8.) CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:

The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Council member requests, in which event, the item will be removed from the consent agenda and discussed after the consent agenda.

- A. Approval of the Minutes of the Regular Council Meeting of March 24, 2020.
- B. Approval of the Minutes of the Special Council Meeting of April 13, 2020.
- C. Resolution Number 1825-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING AN AMENDED INVESTMENT POLICY FOR THE CITY OF DICKINSON AND A LIST OF QUALIFIED BROKERS THAT ARE AUTHORIZED TO ENGAGE IN INVESTMENT TRANSACTIONS WITH THE CITY; PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

Council Member King made a motion to approve the Consent Agenda, and Council Member Suderman seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Decker, King)

0 NAYS

MOTION PASSED

At this time, Mayor Masters asked that Council recess into its scheduled closed executive meeting, Items 15 and 16.

ITEM 15.) EXECUTIVE SESSION: The City Council will now hold its closed executive meeting pursuant to the provision of Chapter 551, Government Code, Vernon's Texas Codes annotated, in accordance with the authority contained in:

- A. Section 551.071 – Consultation with Attorney regarding pending litigation and matters in which the duty of the City Attorney requires to be discussed in closed meeting.

Mayor Masters recessed the regular meeting at 7:45 p.m.

ITEM 16.) RECONVENE

Mayor Masters reconvened the regular meeting at 9:58 p.m.

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Consideration of the Dickinson Economic Development Corporation's Vote to Take No Further Action and Expend No Further Resources on the Gulf Coast Public Market Project Due to the Estimated Impact Analysis Results, and a Request by the Dickinson Economic Development Corporation Board for Council Action in Support of its Vote and Directive.

Mayor Masters, speaking on behalf of the Council, thanked Dickinson Economic Development Corporation for its due diligence. She said that no action by Council was necessary for this Item.

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1826-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND AUTHORIZING THE DICKINSON ECONOMIC DEVELOPMENT CORPORATION'S EMERGENCY BUSINESS RECOVERY AND EXPANSION GRANT PROGRAM FOR THE RECOVERY AND EXPANSION OF DICKINSON BUSINESSES THAT HAVE SUFFERED DUE TO THE STATE OF EMERGENCY CAUSED BY THE COVID-19 PANDEMIC; PROVIDING FOR THE INCORPORATION OF THE PREAMBLE; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT.** (Second of Two Readings)

Council Member King made a motion to approve the Resolution on its second reading with the condition that a member of Council be appointed to the application review committee. City Attorney David Olson recommended that the Council amend the penultimate "whereas" statement in the Resolution to instead read, "**WHEREAS**, pursuant to Texas Local Government Code Section 505.159, the Dickinson Economic Development Corporation has or will hold at least one public hearing on the proposed Project before spending money to undertake the Project." Council Member King amended his motion to include the above revision of the "whereas" statement as a condition of approval of the Resolution. and Council Member Suderman seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Decker, King)

0 NAYS

MOTION PASSED

Council Member King made a motion to appoint Council Member Wilson as the City's representative on the Dickinson Economic Development Corporation's application review committee, and Council Member Suderman seconded the motion. Council Member Wilson said that he would abstain from the vote. There being no further discussion, Mayor Masters called for the vote.

VOTE:

4 AYES (Suderman, Skipworth, Decker, King)

1 NAY (Wilson)

MOTION PASSED

City Secretary's Note: Pursuant to the City of Dickinson Code of Ordinances, (Chapter 2, Administration; Article II, City Council; Division 1, Generally; Section 2-28, Council Proceedings; Subsection (d), Abstentions) Council Members who fail or refuse to vote without filing an affidavit describing a conflict of interest shall be recorded as having cast a negative vote.

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1827-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING BUDGET AMENDMENT NO. 1 FOR THE DICKINSON ECONOMIC DEVELOPMENT CORPORATION FOR FISCAL YEAR 2019-2020; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH FISCAL YEAR AS REFLECTED IN SAID BUDGET AMENDMENT NO. 1; PROVIDING FOR THE INCORPORATION OF THE PREAMBLE; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Wilson made a motion to approve the Resolution, and Council Member Suderman seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Decker, King)

0 NAYS

MOTION PASSED

- ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1828-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH ANDREWS KURTH LLP FOR BOND COUNSEL SERVICES FOR CERTIFICATES OF OBLIGATION, BONDS, AND OTHER DEBT OBLIGATIONS THAT THE CITY OF DICKINSON INTENDS TO ISSUE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE AN**

AGREEMENT FOR SUCH SERVICES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

Council Member Suderman made a motion to approve the Resolution, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Decker, King)

0 NAYS

MOTION PASSED

- ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1829-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE CITY ADMINISTRATOR TO ISSUE AN ORDER FOR TASK WORK AUTHORIZATION NUMBER 1B FOR ADDITIONAL WORK ALONG HANSEN, BAYOU CREST CIRCLE AND RAU DRIVE, AND TO ISSUE TASK WORK AUTHORIZATION NUMBER 4 FOR DRAINAGE REPAIR, CULVERT REPAIR, AND SOD INSTALLATION AT THE ANIMAL SHELTER, LOVERS LANE, BAYOU CREST AND SHADY OAK NEIGHBORHOODS; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**

Council Member King made a motion to approve the Resolution, and Council Member Decker seconded the motion. Council Member Suderman questioned why the City seems to be redoing previous work in the Bayou Crest subdivision and asked if the work was checked on the first time to see that it was done well. City Administrator Chris Heard said that he feels the addition of culverts, more desilting, and the addition of sod on Rau Drive will help improve drainage in the subdivision. The proposed additional work he said, results from adjustments made in the field; culverts, for example, were not adjusted in order so the City has now found that some culverts need further adjustment.

Council Member Suderman questioned if the expense of laying sod was worth it, especially after discussion with a resident of Lovers Lane who said that they would rather have bare earth, which would improve waterflow. Mr. Heard said that the work proposed for Lovers Lane is minimal; the most significant work on that street is the adjustment of the culvert at the end.

Council discussed the inclusion of 2,050 square yards of sod for the new animal shelter in the task work authorization. Council Member Suderman said that the animal shelter construction had been presented as a turnkey project. Mr. Heard explained that approval of this task work authorization was the most cost-effective way of installing sod at the shelter. Council

Member Wilson said that this way of installing the sod came with the added benefit of a 30-day guarantee for the sod, which was not included in the original animal shelter agreement. Council Member Suderman asked how there was money in the animal shelter construction budget for the sod, given that the last project update to Council showed \$0 left to be able to spend on the shelter, and asked why Council was not getting a true picture of the project all at once. Mr. Heard said that he will provide such information to Council in the future, when he will inform Council of the true cost of the shelter, which he estimated at \$1,900,000 based on invoices that the City has received. The cost will be larger than Council expected, he said, because some critical items such as fire suppression sprinklers and information technology cables and connections were not included in the initial project. Council Member Wilson said that the true cost of the project was difficult to discern at the moment because in-person meetings with the contractor are not possible with the social distancing required of people due to the Coronavirus pandemic. There being no further discussion, Mayor Masters called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Decker, King)

0 NAYS

MOTION PASSED

ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1830-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING A POLICY FOR EMERGENCY OPERATING PROCEDURES DURING A PANDEMIC; PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

Council Member Wilson made a motion to approve the Resolution, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Decker, King)

0 NAYS

MOTION PASSED

ITEM 17.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of the Dickinson Economic Development Corporation Chief Executive Officer (“CEO”) and Executive Director’s Employment Agreement and the Funding Thereof, and Authorizing the Mayor to Sign the Agreement Acknowledging that the CEO Will be Receiving City Benefits.

Council Member Suderman made a motion to table the item so as to allow time for Council to have its legal questions answered, and Council Member

King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Decker, King)

0 NAYS

MOTION PASSED

ITEM 18.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

None.

ITEM 19.) ADJOURN

Council Member Wilson made a motion to adjourn the meeting at 10:20 p.m., and Council Member Suderman seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Wilson, Decker, King)

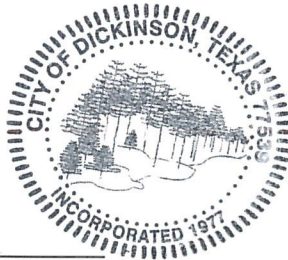
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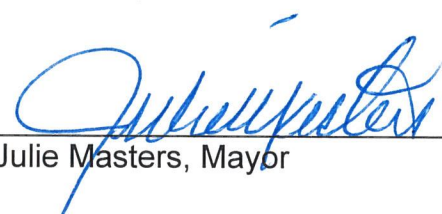
MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 28th day of April, 2020.

ATTEST:


Alun W. Thomas, City Secretary




Julie Masters, Mayor